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In re Application of:	:	
RENNER, et al.	:	
U.S. Application No.: 10/030,224	:	DECISION ON PETITION
PCT No.: PCT/EP00/06301	:	
International Filing Date: 05 July 2000	:	
Priority Date: 24 August 1999	:	
Attorney's Docket No.: 32301 W250	:	
For: PROCESS FOR THE REGENERATION OF	:	
PLATINUM GROUP METAL SUSPENSION	:	
CATALYSTS	:	

This decision is issued in response to applicants' "Petition To Withdraw Holding Of Abandonment" filed 19 December 2003. No petition fee is required.

### **BACKGROUND**

On 05 July 2000, applicant filed international application PCT/EP00/06301 which claimed a priority date of 24 August 1999 and which designated the United States. On 01 March 2001, a copy of the international application was communicated to the United States Patent And Trademark Office ("USPTO") by the International Bureau ("IB"). The deadline for payment of the basic national fee was thirty months from the priority date, i.e., 24 February 2002.

On 08 January 2002, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment for the basic national fee and an English translation of the international application.

On 27 March 2002, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) indicating that an executed declaration in compliance with 37 CFR 1.497 and the surcharge for filing the declaration later than thirty months after the priority date were required.

On 24 November 2003, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), indicating that the application was abandoned based on applicants' failure to file a response to the Notification Of Missing Requirements.

On 19 December 2003, applicants filed the petition considered herein. The petition asserts that on 23 April 2002, applicants filed a proper response to the Notification Of Missing Requirements, including an executed declaration and the required surcharge payment. Copies of

these materials are attached to the present petition, as is a copy of a return postcard itemizing these materials and bearing a USPTO receipt stamp dated 23 April 2002.

### DISCUSSION

Based on applicants' statements in the present petition, the attached return postcard, and internal USPTO records which indicate the receipt of the \$130 surcharge payment on 23 April 2002, it is concluded that the materials attached to the present petition, including the surcharge payment and the executed declarations, were originally filed in the USPTO on 23 April 2002 as a timely response to the Notification Of Missing Requirements. Accordingly, the Notification Of Abandonment mailed 24 November 2003, based as it was on applicant's purported failure to file a timely response to the Notification Of Missing Requirements, is appropriately vacated.

The declarations filed 23 April 2002 are acceptable under 37 CFR 1.497.

### CONCLUSION

Applicants' petition under 37 CFR 1.181 is **GRANTED**.

The materials attached to the present petition, including the executed declaration and surcharge payment, are considered to have been filed on 22 April 2002 as a timely response to the Notification Of Missing Requirements mailed 27 March 2002.

The Notification Of Abandonment mailed 24 November 2003 is hereby **VACATED**.

This application is being returned to the National Stage Processing Branch of the Office of PCT Operations for further processing in accord with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 23 April 2002.



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